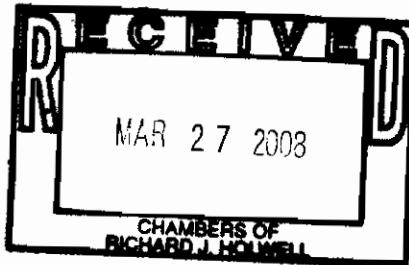




The Ottinger Firm, PC

March 27, 2008

**BY FACSIMILE**

Hon. Richard J. Holwell  
 United States District Judge  
 Daniel Patrick Moynihan  
 United States District Court House

Re: Re: Ahlgrim, et al v. Flinchum, et al  
 07 Civ. 04002 (RJH)

USDC SDNY  
 DOCUMENT  
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 DATE FILED: 4/2/08

Dear Judge Holwell:

This firm represents the plaintiff's in this action. I write to request an extension of the discovery deadlines and an adjournment of the pretrial conference. This is the first request for an extension of time.

The discovery deadlines and pretrial conference dates are set forth in the attached Order dated October 5, 2007. Defendants have consented to a thirty day extension of these dates. Plaintiff, however, respectfully requests that the dates be extended by sixty days because neither party has been deposed yet and follow up discovery may be necessary. Since the federal rules allow thirty days to respond to any follow up document demands, it will be impossible to conduct follow up discovery if the dates are only extended by thirty days.

I respectfully request that the dates be extended as follows: (1) fact discovery in this action and the parallel state proceeding shall be completed by May 29, 2008, and (2) a pretrial conference shall be held on June 13, 2008. The current Order contemplates deadlines for expert discovery, but at this point neither party has proposed the use of experts. If expert discovery is necessary, I respectfully request that the issue be deferred until the pretrial conference.

*Application Granted* Respectfully submitted,  
*Conference to be held on 6/13/08 at 10:00 am.*

Robert W. Ottinger

SO ORDERED

*R.W.O.*  
*3/28/08*

Cc: Chris Brennan (by facsimile)

## TRANSMISSION VERIFICATION REPORT

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To: Hon. Richard J. Holwell Fax: 212 805-7948  
From: Robert Ottinger Date: 3-27-08  
Re: Ah/g/jn v. Fletcher Pages: 2 including cover  
cc: chris Brenna 212 319-7605

Comments: Please see attached.